

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

CHRISTINA ELLIE RUPLE,

§

Plaintiff,

§

v.

1:24-CV-703-RP

BENJAMIN GOLDMAN,

§

Defendant.

§

**ORDER**

Before the Court is the report and recommendation of United States Magistrate Judge Dustin Howell concerning Defendant Benjamin Goldman’s (“Defendant”) Motion to Dismiss, (Dkt. 30). (R. & R., Dkt. 39). Defendant timely filed objections to the report and recommendation, (Objs., Dkt. 40), to which Plaintiff Christina Ellie Ruple (“Plaintiff”) responded, (Dkt. 41).

A party may serve and file specific, written objections to a magistrate judge’s findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because Defendant timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules Defendant’s objections and adopts the report and recommendation as its own order.

Accordingly, **IT IS ORDERED** that the report and recommendation of United States Magistrate Judge Dustin Howell, (Dkt. 39), is **ADOPTED**.

**IT IS FURTHER ORDERED** that Defendant’s Motion to Dismiss, (Dkt. 30), is **GRANTED IN PART** and **DENIED IN PART**.

**IT IS FINALLY ORDERED** that Plaintiff's IIED claim is **DISMISSED WITHOUT PREJUDICE**. Defendant's Motion to Dismiss is otherwise denied.

**SIGNED** on July 30, 2025.



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ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE